

***The Lead Plaintiff and all other Plaintiffs***

***Case No. 1:23-CV-00989-JLH***

June 14th 2024

The Honorable Jennifer L. Hall

United States District Court for the District of Delaware

844 N. King Street

Wilmington, DE 19801

**Re: Freites, et al. v. Bolivarian Republic of Venezuela, et al. Case No.  
1:23-CV-00989-JLH**

**MOTION FOR LEAVE TO FILE UNDER FRCP 60(b)(2) DUE TO FRAUD  
AGAINST PLAINTIFFS**

Honorable Judge Jennifer L. Hall,

Plaintiffs respectfully move this Court for leave to file electronically sealed documentation pertaining to case Case 1:17-MC-00151-LPS (Crystallex et al. v. Bolivarian Republic of Venezuela) under Federal Rule of Civil Procedure 60(b)(2) to seek relief from judgment due to fraud perpetrated against the Plaintiffs. The following provides the basis for this filing.

**GROUND FOR RELIEF**

**1. Fraudulent Conduct by Defendants and Associated Parties:**

Plaintiffs have discovered significant evidence indicating that Defendants have engaged in fraudulent conduct that has directly impacted the integrity of the judicial process in a related case in the District of Delaware (Case 1:17-MC-00151-LPS). This conduct involves Misrepresentation of Facts and Collusion with Key Individuals, as Defendants knowingly provided false information, concealed critical facts that were material to the proceedings and there is substantial evidence suggesting that Defendants colluded with various individuals to manipulate and undermine the judicial process.

The fraudulent actions of the Defendants have severely prejudiced the Plaintiffs, leading to Miscarriage of Justice in case 1:17-MC-00151-LPS; additionally Plaintiffs have suffered significant harm, both in terms of their legal position and personal safety, due to the Defendants' actions.

**LEGAL STANDARD UNDER FRCP 60(b)(2)**

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Federal Rule of Civil Procedure 60(b)(2) permits a party to seek relief from a final judgment based on "newly discovered evidence that, with reasonable diligence, could not have been discovered in time to move for a new trial under Rule 59(b)." The newly discovered evidence in this case, which includes documents and testimonies revealing the extent of the fraud, was not available to the Plaintiffs at the time of the original proceedings and could not have been discovered through due diligence.

While such evidence is being brought to the attention of the Honorable Judge Leonard P. Stark in case 1:17-MC-00151-LPS; Plaintiffs believe that such information is relevant to the above captioned case under your jurisdiction.

**EVIDENCE OF FRAUD**

Plaintiffs intend to file the following evidence:

1. Documentary Evidence: Newly obtained documents that were previously concealed by the Defendants, demonstrating deliberate misrepresentations and fraudulent conduct.
2. Witness Testimonies: Testimonies from individuals with direct knowledge of the fraudulent activities, including but not limited to, statements from insiders.

**CONCLUSION**

For the foregoing reasons, Plaintiffs respectfully request that this Honorable Court grant leave to electronically file sealed documents under FRCP 60(b)(2) pertaining to fraud against the Plaintiffs. Allowing this filing to proceed is essential to uphold the integrity of the judicial process and ensure that justice is served.

Respectfully submitted,

/s/ **Lead Plaintiff**

Eichholzstrasse 2,

6312-CH

<b>Lead Plaintiff</b>	Name and address:
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***The Lead Plaintiff and all other Plaintiffs***

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<b>Plaintiff 2</b>	All c/o  LEAD PLAINTIFF  Eichholzstrasse 2,  6312 Steinhausen, Switzerland
<b>Plaintiff 3</b>	
<b>Plaintiff 4</b>	
<b>Plaintiff 5</b>	
<b>Plaintiff 6</b>	
<b>Plaintiff 7</b>	

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**### CERTIFICATE OF SERVICE**

I hereby certify that on **14th june 2024** , a copy of the foregoing Motion for Leave to File Motion Under FRCP 60(b)(2) Due to Fraud Against Plaintiffs was filed with the Clerk of Court and served upon all counsel of record via the Court's CM/ECF system.

**/s/ Lead Plaintiff**

Eichholzstrasse 2,

6312-CH

Lead Plaintiff, Pro Se